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THE BRITISH ELECTIONS

BY BRITANNICUS

FROM whatever standpoint one regards it, the recent General Election must be classed among the most momentous that Great Britain has ever known. Writing in the very middle of the tumult, I can do no more than attempt an impartial summary of the issues upon which the people have been invited to pronounce. Even that is no easy task. For the questions to which an answer is being sought by the rough-and-ready mechanism of a General Election are questions that go right down to the roots of representative government. What is the place that a Second Chamber should occupy in the general scheme of the British State? With what powers should it be endowed? How ought it to be composed? In the event of an otherwise unbreakable deadlock between the two Chambers that together form the British Parliament, is the Referendum an instrument that may fittingly be invoked or should it not rather be shunned as a device wholly incongruous with the British system of Cabinet government? Such are some of the issues on which by the time this article appears in print the British electorate will have returned a more or less definite verdict. It is clearly impossible to exaggerate their gravity. More vital or more contentious problems have never yet been submitted to the judgment of any modern democracy. To many Englishmen they are problems that appear fundamentally unsuited to the frenzied, confused and partisan arbitrament of a political campaign. Men of dispassionate minds are at once revolted and humiliated by the spectacle of Great Britain, with her proud and placid claim to sanity and moderation in her politics, plunging into the turmoil of a General Election in a wild effort to evolve from the clash and collision of parties what is hardly less than a new organic act of government. Was that, they ask, how

Americans set about the business of framing their Constitution? Does it not register a clear decline in British political capacity that the attempt to settle these infinitely complex, fateful and delicate matters by compromise has broken down and that they are now being referred to the furious claptrap, the incurable mendacities and distortions, the unreasoning clamor, of an "appeal to the country"? But disgust is not the only emotion with which average Englishmen find themselves in a position so little worthy of their past. There are many thousands of them who view with positive alarm the progress of a struggle to readjust the British Constitution by partisan violence. They do not believe that any permanent solution of such a problem can be reached by such methods or that it is possible for any one party, or any combination of groups, to remodel the institutions of the country simply to serve its own interests and against the firm and reasoned convictions of practically half the electorate; and they seriously and not unjustifiably fear that any such endeavor, if persisted in, must bring the nation within measurable distance of a terrible convulsion.

To analyze with any fulness the nature and causes of the crisis in which Great Britain is destined to be engulfed for many months, and perhaps for many years to come, one would have to review the developments of British politics for the last two and a half decades at least. One would have to trace in the Conservative party the growth of the principle of ascendancy; one would have to show how it became dominated by Imperialism and infected by the spirit and ideals of Militarism; how it fell under the grip of "special interests" and suddenly unfurled the tattered flag of Protection; how it grew to represent in the main the "class consciousness" of the men of wealth and possessions and showed subtle but unmistakable signs of losing touch with the democracy; how, whether consciously or not, it essayed to buttress and consolidate "property" as the dominant fact in the social and political life of the country. And among the Liberals one would have to trace a great widening and transformation of ideals under the pressure of searching criticisms of the existing industrial order; an abandonment of the work of political reconstruction to which Gladstone devoted most of his life and a concentration upon the work of social and economic reconstruction; a growing realization of the extent to which England is ruled by mo-

nopolies in general and by a land monopoly in particular; a determination to break down these strongholds of vested interests, and to capture their "unearned increments" or "monopoly values" for the benefit of the community; a more zealous and discriminating sensitiveness to the "condition of England" question, to the evils of poverty, to the problems of the Poor Law, of Old-age Pensions, of invalidity and unemployment, of securing a national minimum of subsistence. All this one would have to explore at length, and it would be a fascinating undertaking. But for the moment it may perhaps be enough to indicate that an opposition in spirit and ideals and fundamental views of the proper constitution of society had thus grown up between English Conservatism and English Liberalism in the past five-and-twenty years, an opposition so deep and absolute that it was bound to provoke a sharp collision on the first occasion. The occasion came in 1906 when the Liberals, after being out of office for practically twenty years, came back to power in overwhelming force and at once began to embody their new conceptions and aspirations in the form of legislation. Beaten at the polls, outvoted in the Commons, the Conservatives fell back on the House of Lords. They used the hereditary Chamber to check and harass the Liberals and to protect those privileged interests that the Liberals were bent on attacking. Liberal measures dealing with education, with land valuation, with plural voting, and with licensing reform were either rejected by the Lords outright or so mutilated that they had to be abandoned. Other and not less urgent problems the Liberals felt debarred from tackling, because they were aware beforehand that their solutions would be found unacceptable to the hereditary House. Finally in 1909 the Lords capped their work of obstruction by rejecting the Budget and forcing a dissolution. The issue was then sharply joined. Liberals woke once and for all to the fact that the task of political and constitutional amendment had not been finally completed by Mr. Gladstone, and that it was necessary to suspend their programme of social and industrial reform and concentrate on the single question of removing the handicap imposed upon their Parliamentary effectiveness by the presence of an Upper Chamber permanently controlled by their political opponents.

What the Liberals demand, and what in the long run

they will undoubtedly succeed in obtaining, is an equality of legislative opportunity. They insist that they must possess as good a chance or as bad a chance of passing their bills into law as the Conservatives possess. As things are now the two parties are not on the same footing. The one holds a position of perpetual privilege and the other a position of perpetual disability. When the Conservatives are in power the House of Lords practically effaces itself and sinks into a mere ratifying Chamber, without apparently any will or initiative of its own, always accepting, and hardly ever even amending, the measures sent up to it. It automatically endorses whatever the Conservative leaders in the House of Commons ask it to endorse; it forgets altogether that it is supposed to be a revisory and suspensory branch of the legislature; it becomes a mere annex to the Carlton Club. But directly a Liberal Government comes into office, the Lords wake up; they are immediately on the *qui vive*; their constitutional prerogatives are resurrected at once; they jealously scrutinize all Liberal bills and do not hesitate to reject or mutilate them at will. It is thus open to the Conservatives, whether they are in or out of office, whether the country is for them or against them, to exercise an influence over the course of legislation that is denied to Liberals. Why, it is asked, should the Liberals live to some extent on sufferance while the Conservatives lead an unhampered existence? Why should the latter be able to claim a free passage for their measures through the Lords as a right, when the Liberals are obliged to regard any such facilities in their own case, when they are not withheld altogether, as a favor, an indulgence, almost indeed a surprise? Why should Liberalism, representing sometimes more than a half, and always only a little less than a half, of the entire electorate, be placed by comparison with its chief rival at a substantial and permanent disadvantage? What reason is there why a Conservative vote should always count for more than a Liberal vote, or why a Conservative Government should be free to spend its whole time writing Conservative measures on the Statute Book while a Liberal Government is liable to see the work of long and laborious sessions undone in a couple of days by the House of Lords? Is there not in such a situation something perilous to the system of party government, something that, unless corrected, will lead to a bitter conflict not of parties, but of classes?

From the dialectical point of view such questions as these are unanswerable. No Conservative dare get up and proclaim that the Conservative party is a superior political caste, enjoying as of right privileges and opportunities that ought to be withheld from Liberals. The reality and legitimacy of the Liberal grievance are, so far as I can judge, freely admitted by the great bulk of Englishmen. It is, of course, true enough that in all countries and under all schemes of government the Upper Chamber, whether hereditary or elective or a mixture of both, is bound to be more conservative in tone and sympathies than the Lower Chamber; and that Liberalism, therefore, must expect to find its measures treated in the House of Lords with a harshness which the measures of the opposite party necessarily escape. It is true also that though permanently controlled by, and permanently, therefore, biased in favor of, the Conservative party, the House of Lords has, on the whole, shown itself remarkably responsive to public opinion and has used its unique powers with commendable moderation. It is true again that the House of Lords has more than once proved a better judge of national opinion than a Liberal House of Commons; and it is also true that of the 238 bills sent up to the Lords between 1906 and 1909, only six were rejected, and that of these six there was only one that was not regarded with either active dislike or tepid unconcern by the country at large. But to scale down the Liberal case against the House of Lords to rational proportions is not to deny its essential validity. When all is said and done, it remains the fact that in order to reach the Statute Book the Liberals have to overcome obstacles that are artificial, that no efforts of their own can remove, and that do not operate against the Conservatives. In four or five directions, wherever, indeed, the Peers suspect that the interests of the Church or of the Conservative party or of the landlords or of the liquor trade or of the Irish Unionists are likely to be prejudiced, the Liberals find the road of advance pretty well blocked. In other directions it is no doubt true enough that they are permitted as much freedom of action as the Conservatives possess. The House of Lords has never been behindhand in co-operating in the work of social and industrial betterment. Such measures as the Old-age Pensions Act, or Acts protecting working-men, or reforming the Poor Law, or conferring special and highly valued

rights on Trade Unions, or bringing into existence a national scheme of insurance against unemployment, or fixing upon employers a full liability for accidents—pass through the House of Lords as easily when proposed by a Liberal Government as when proposed by a Conservative Government. But if the Liberals wished, in accordance with the overwhelming desires of the Welsh people, to disestablish the Welsh Church; if they wished to release education from its clerical leading-strings and place it under popular control; if they wished to grant Ireland Home Rule or to abolish the anomaly of plural voting or to annex to the State a fair proportion of the monopoly values of liquor licenses or to tax land values, then, whatever their majority, with the House of Lords as it is now, they would find themselves impotent to carry out their purposes. All proposals looking to these ends would be virtually certain of rejection by the Lords, and to give effect to them the Liberals would be compelled to seek renewed authority from the people by means of a series of dissolutions. This constitutes a just and deeply felt grievance and Liberals are determined to make and end of it. They are more determined than ever after the unprecedented action taken by the Lords fourteen months ago in rejecting the Budget—an action which was a clear violation of the spirit and traditions of the British Constitution, and which, if it became the normal practice, would snatch the control of the purse from the elected representatives of the people and make the hereditary and indissoluble Chamber the decisive authority in the State with power of life and death over all future Liberal Cabinets. After their experiences of the past five years the Liberals feel that it is essential to their self-respect and to their effectiveness as a party that the disabilities under which they have suffered should now once and for all be removed.

But how are they to be removed? In what way are Liberals and Conservatives to be placed on a Parliamentary equality? There are, roughly speaking, two ways. One is to so restrict the powers of the House of Lords that it will be equally impotent whatever party is in office. The other is to reform the composition of the House of Lords so that Liberals and Conservatives may stand an equal chance of obtaining a majority in it. Of these two alternatives the Liberals have chosen the former. That is to say, their solution of the House of Lords question is the destruction

or the paring away of its legislative prerogatives. They embodied this solution in a series of Resolutions that were adopted by the House of Commons last April by majorities of over a hundred. Their programme divides itself into three parts. The first part deprives the House of Lords of all power in matters of finance and makes it impossible for the Peers ever again to act as they acted in November, 1909, when they threw out the Budget. Henceforward a Money Bill which is certified by the Speaker of the House of Commons to be only a Money Bill—that is, to contain no provisions that are not purely financial—will become law within a month after it reaches the House of Lords whether the Peers assent to it or not. There is a great deal that might be said for and against this proceeding, but there is the less need to say it as the Lords have virtually accepted the principle of the absolute supremacy of the House of Commons in finance and all that remains to be adjusted is a few matters of detail. I pass on, therefore, to the second and by far the most momentous part of the Liberal programme—the part which strictly limits the powers of the House of Lords in dealing with ordinary, non-financial legislation. Its essence is that any measure which passes the House of Commons in three consecutive sessions and is rejected by the House of Lords in each of these sessions shall become law on receiving the Royal Assent, provided that two years have elapsed between its first introduction and its third and final passage through the House of Commons. It is round this proposal that the battle has chiefly raged; and to judge it fairly one must remember that the Liberals, in the third part of their programme, propose to restrict the duration of Parliament to five instead of seven years—which means, in practice, that in each Parliament there will not be more than four working sessions. Now one can at least say of this programme that it achieves its object. It effectually gets rid of the obstacles hitherto opposed by the Lords to Liberal legislation, and by doing so it puts both the chief parties on a substantial equality. The Lords, under the Liberal scheme, may debate, may criticise, may delay the passage of a bill for two years, may suggest amendments—and the amendments, if accepted by the Government, will be incorporated in the bill; but they may not throw it out or submit it to the judgment of the electorate; when the two years have expired, it becomes law whether

they assent to it or not. The Conservatives maintain that this is to place Great Britain on what is virtually a single-Chamber basis, and that a determined Minister or a determined faction will henceforward be able to force through Parliament any measure, however revolutionary and however much opposed by the opinion of the country. They declare that every argument in favor of a strong Second Chamber, with effective powers not only of amendment and delay, but of rejection, acquires a double force when applied to British conditions, because in Great Britain there is no written Constitution to serve as a touchstone for any and every Act of Parliament, nothing that in any way corresponds to the Presidential veto or the powers of the Supreme Court; Parliament is omnipotent and can do everything that is physically possible, and in Parliament the decisive control of affairs is exercised by the Cabinet, which, owing to the growing inability of the House of Commons to grapple with the enormous and expanding business intrusted to its care, is more and more forced to legislate by executive decree. They assert that to do as the Liberals propose to do—to take away from the House of Lords the only power that can make a Second Chamber a reality and not a sham—is in effect to abolish the right of the people to say whether a given measure does or does not meet with their approval and to expose the fortunes of the country to the manipulation of a chance and heterogeneous majority in the Lower House. They deride the Liberal contention that the proposed two years' interval would effectually prevent hasty, unpopular or revolutionary legislation. They argue that opinion outside the House is too mutable, the power of the party system inside it is too rigid, and the tenacity of minorities—and especially of minorities that hold the Government in their grasp—too great, to make the safeguard on which Liberals rely anything but illusory. Imagine, they exclaim, a Liberal Government dependent for its very existence upon Nationalist votes and bringing in a Home Rule Bill. Is it conceivable that, however greatly popular sentiment might be roused against the measure, they would be permitted by their House of Commons allies to drop it after it had once secured a majority in the Lower House? The Conservatives contend that there is no bill, however revolutionary, that would not be practically certain of reaching the Statute Book under such conditions. They

point out that Liberals have always complained that the country was virtually on a single-Chamber basis whenever the Conservatives were in power, and that they now propose to perpetuate the very abuse they have hitherto denounced. They insist that the form of government which the Liberals are endeavoring to erect is precisely the form on which history has pronounced its most decisive condemnation. And how, they ask, is effect to be given to the Liberal plan? Nobody imagines that the Lords will quietly submit to the extinction of their legislative powers. In what way, then, are they to be coerced? The answer is that the Liberals, assuming that the elections which are now in progress result in a Liberal victory, will approach the Crown and request permission to create the five hundred Peers or so who will be needed to carry their programme through the Upper House. Is that, ask the Conservatives, what the British people desire? Do they wish to see the King dragged into the arena of party politics, or legislation passed by such methods of violence, or the ancient Constitution subverted in order to clear a way to Irish Home Rule and predatory Socialism?

But what is the alternative that the Conservatives themselves propose? Roughly it may be described as a reform of the House of Lords from within, the surrender of the veto on finance, the retention of all other legislative powers intact, the provision of joint sessions for ordinary matters of dispute between the two Houses and the adoption of the Referendum where questions of the gravest moment are involved. One of the obvious blots on the Liberal programme is that it leaves the House of Lords absolutely unreformed. Believing that to reform it is to make it stronger, more assertive and a greater obstacle in their path, the Liberals have put off the question of its reconstruction from within until its prerogatives have been effectually truncated from without. After they have left it nothing to do that is worth doing, they will then consider how a perfect Second Chamber may be evolved to do it; after making it politically impotent they may then pass on to make it personally efficient. The Conservatives maintain that this is putting the cart before the horse and that it is impossible to determine the powers of a legislative Chamber when nobody knows how it is to be composed. They have, therefore, addressed themselves to the problem of its internal reconstruction, with a view

to removing the shortcomings that all Englishmen have long agreed in recognizing in the House of Lords. Those shortcomings are its unwieldiness, its dependence upon the hereditary principle, the fact that many of its members have neither aptitude nor inclination for politics, its overwhelming inclination, both in numbers and in sentiment, towards the Conservative side, and its aloofness not so much from public opinion as from the processes by which in a democracy public opinion is made known and operative. At the instigation of Lord Rosebery the Peers have passed a series of Resolutions to remedy these defects. They have resolved that a seat in the House of Lords shall no longer descend from sire to son with the family title and estates; in other words, they have abandoned the hereditary principle. The renovated Chamber which the Rosebery Resolutions foreshadow is a House of Lords reduced in point of numbers to between 300 and 400, with, say, one-half its members chosen by the whole body of the Peers from among their own order and with the remainder chosen or nominated from outside or sitting in the House by virtue of holding special offices. The House of Lords thus evolved would, the Conservatives claim, be a Second Chamber in which the present disparity between the two parties would be largely redressed, which would be brought into direct and recurring touch with public opinion, which would be strong in ability and experience, but not so strong as to dominate the House of Commons, which would be naturally and properly conservative in tone, but freed from dependence upon the Conservative party, and which would represent a free variety of classes and interests. But to all this the Liberals reply that the Rosebery Resolutions are nothing more than a coat of democratic varnish to mislead the electorate, that if they mean anything nobody can tell what they mean until the plan they hint at has been worked out in detail, that it would be perfectly possible to construct a House of Lords on the basis of the Rosebery Resolutions that would be just as partisan as the present Chamber, and that there is no guarantee and very little likelihood that Liberals would find themselves any better off or any nearer a status of equality in the new House than they are to-day. Very much the same criticisms are passed upon the proposal for Joint Sessions of Lords and Commons in the event of disagreement between the two Houses over minor matters. Joint

Sessions are a device to which in itself Liberals have no objection, but they naturally wish to know how the Joint Sessions are to be composed, how many Lords and how many Commons are to participate in them, and what opportunities the Government of the day will have of influencing their decisions, before they rush to accept them as a satisfactory solution. So too with the Referendum which the Conservatives propose should be resorted to if differences of opinion over questions of grave moment arise between the Lords and the Commons. Who is to decide, ask the Liberals, what is and what is not a question of grave moment? Is it not certain that so long as the House of Lords commands an unvarying Conservative majority, the Referendum will only be invoked against Liberal measures? To this the Conservatives have replied that they are perfectly willing to submit the first constructive measure on their programme — namely, Tariff Reform — to the ordeal of a Referendum, and inquire whether the Liberals are equally ready to submit Home Rule. The Liberals have found it difficult to answer this highly pointed question and have sought refuge instead in denouncing the Referendum as a device that can only be grafted on to the British system at the cost of destroying the responsibility of Ministers and of Parliament, and of plunging the country into changes that would ultimately prove far more revolutionary than any that are involved in their own proposals. Speaking generally, one may, I think, assert that the Liberals are both suspicious and contemptuous of the Resolutions that the Lords in the last week of November adopted with such remarkable alacrity. They regard them as little more than electioneering dodges conceived in a moment of panic, proceeding from no real conviction, and intended not to redress the Liberal grievance, but to stereotype it under less assailable forms.

Such are the central issues of the conflict that is proceeding as I write, and however the election ends one may be sure that the conflict itself will continue. If the Liberals, as most Englishmen anticipate, are returned to power they will have to take in hand the formidable task of compelling the submission of the Lords by an extraordinary and, on such a scale, an unprecedented exercise of the Royal prerogatives. If the Conservatives win they will be obliged to proceed with the scarcely less formidable task of trans-

lating the Resolutions adopted by the House of Lords into some practical scheme. Most moderate-minded Englishmen approve the goal the Liberals are aiming at—the goal of an effective legislative equality—but condemn the route they have chosen to reach it. They approve the general principle of the solution proposed by the Conservatives, but they see no evidence that the solution itself is sufficiently comprehensive to place Liberals and Conservatives on an equal footing. They are beginning, indeed, to doubt whether equality between the two parties can ever be achieved unless the Liberal plan is adopted or unless the House of Lords is turned into a purely elective Chamber. But on one point moderate Englishmen have never wavered, and that is that the tremendous issues now confronting the British people cannot be permanently settled except by consent. They look beyond the present delirium and beyond the barren period of tumult and confusion that lies immediately ahead, to a time when common sense will reassert itself and force upon both parties the inevitable and enduring compromise.

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